IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

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CIVIL WRIT No. 5527 of 2007

MADAN LAL & ANR.
V/S
A.D.J. ,(F.T.) NO.3, JODHPUR & ORS.

Mr. ML CHHANGANI, for the appellant / petitioner

Date of Order : 5.9.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

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Heard learned counsel for the petitioner, perused the impugned order.

In my view, the learned trial Court has rightly declined the prayer for cross-examination. The temporary injunction application has remained pending for 13 years, which by itself is very unfortunate, and it still more unfortunate that as informed by learned counsel for the petitioner that the suit has not registered any material progress. The learned trial Court is, therefore, directed to proceed with the trial of the suit expeditiously irrespective of pendency of the temporary injunction application, and the temporary injunction application may also be decided on merits on the basis of the material available on record expeditiously.

The writ petition is, therefore, dismissed summarily.

( N P GUPTA ),J.

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